

**COMMITTEE  
ON  
GOVERNMENT ASSURANCES  
(1992-93)**

**(TENTH LOK SABHA)**

**SEVENTEENTH REPORT  
on  
Dropping of Assurances**

*(Presented on 10 Dec. 1993)*



**LOK SABHA SECRETARIAT  
NEW DELHI**

*December 1, 1993/Agrahayana 10, 1915 (Saka)*

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COMPOSITION OF THE COMMITTEE ON GOVERNMENT  
ASSURANCES\*

(1992-93)

CHAIRMAN

Dr. Laxminarain Pandey

MEMBERS

2. Dr. Krupasindhu Bhoi
3. Shri B. Devarajan
4. Smt. Saroj Dubey
5. Shri B.K. Gudadinni
6. Shri Prabhu Dayal Katheria
7. Shri Balin Kuli
8. Shri Manphool Singh
9. Shri Ajoy Mukhopadhyay
10. Shri Surendra Pal Pathak
11. Shrimati Pratibha Devisingh Patil
12. Shri Naval Kishore Rai
13. Dr. D. Venkateshwara Rao
14. Shri A. Prathap Sai
15. Shri Chinmaya Nand Swami

SECRETARIAT

Dr. R.C. Bhardwa — *Additional Secretary*  
Shri Murari Lal — *Joint Secretary*  
Shri Joginder Singh — *Deputy Secretary*  
Shri Ram Autar Ram — *Under Secretary*

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\*The Committee was nominated by the Speaker w.e.f. 13 December, 1992 *vide* para 1596 of Lok Sabha Bulletin Part-II dated 14.12.1992.

## INTRODUCTION

I, the Chairman of the Committee on Government Assurances, as authorised by the Committee, do present on their behalf, this Seventeenth Report of the Committee on Government Assurances.

2. The Committee (1992-93) were constituted on December 13, 1992.

3. The Committee at their sittings held on July 16, 1993 and August 17, 1993 considered requests (*vide* Memoranda Nos. 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67 and 68 received from the Ministries/Departments of the Government of India for dropping of pending assurances. At their sitting held on December 1, 1993, the Committee Considered and adopted the Draft Seventeenth Report.

4. The Minutes of the aforesaid sittings of the Committee form part of the Report (Appendices).

5. The Conclusions/Observations of the Committee are contained in this Report.

NEW DELHI;  
December 1, 1993

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Agrahayana 9, 1915 (Saka)

Dr. LAXMINARAIN PANDEY,  
*Chairman,*  
*Committee on Government Assurances.*

## CHAPTER I

(I)

### ELECTRIC CRÉMATORIUM

1.0 On August 6, 1992, the following Starred Question No. 430 given notice of by Shrimati Saroj Dubey, M.P., was addressed to the Minister of Urban Development:—

“(a) the details of such cities where electric crematoriums have been/are being constructed with the assistance of the World Bank;

(b) whether the Government propose to issue guidelines to States for construction of electric crematoriums so that use of wood for cremation is prevented to avoid deforestation and save environment from pollution; and

(c) if so, the details thereof?”

1.1 The Minister of State in the Ministry of Urban Development (Shri M. Arunachalam) gave the following reply:—

“(a) No electric crematoria have been/are being installed with the assistance of World Bank.

(b) No, Sir.

(c) Does not arise.”

1.2 During the course of discussion on the question Shri Upendra Nath Verma, M.P. raised the following supplementary point:—

“The details of the MLA & MP, Minister and affluent persons cremated through electric crematoria in Delhi apart from Dr. Ram Manohar Lohia.”

1.3 The then Minister of State in the Ministry of Urban Development (Shri M. Arunachalam) gave the following reply:—

“Sir, as far as I know, I had attended the funeral of the Secretary of my previous Department. He was cremated in the Electric Crematorium. Apart from that, I have no other knowledge of such thing. If the hon. Member is particular about this, I will collect the information and give it to him.”

1.4 Reply to points raised during supplementaries on the question was treated as an assurance by the Committee which was to be fulfilled within three months of the date of reply *i.e.* by November 5, 1992.

1.5 The Ministry of Urban Development approached the Committee on Government Assurances through the Ministry of Parliamentary Affairs *vide* their U.O. Note No. IV/UD(16)SQ 430-LS/92 dated February 9, 1993 to drop the assurance on the grounds indicated below:—

“The information required for fulfilling the assurance is not readily available with this Ministry and nor the same may be available with some other Centralised Organisations. This information has, therefore, to be called for from all the State Governments/Local Bodies all over India. In view of this, this Ministry feels that the efforts involved in collecting the said data will not be commensurate with the purpose of the information.”

1.6 The Committee considered the request of the Ministry of Urban Development for dropping of the assurance at their sitting held on July 16, 1993.

1.7 The Committee did not agree to the request of the Ministry to drop the assurance. The decision of the Committee was conveyed and it was requested to initiate action to fulfil the assurance. The assurance still remains to be fulfilled.

1.8 The Committee fail to understand the time taken in furnishing the information regarding M.L.As and M.Ps, Minister and affluent persons cremated through electric crematoria in Delhi apart from Dr. Ram Manohar Lohia. The Committee need not mention that the details of these persons may not be much. This simple information could have been easily obtained without loss of time from the crematoria in Delhi.

1.9 The Committee note that the Ministry of Urban Development have stated that they have to call for the information from all the State Governments/Local bodies all over India. This contention of the Ministry does not fall within the ambit of the assurance given by their Minister to the Parliament. This shows that the Ministry did not bother to understand the scope of the assurance and have tried to justify their inaction in such a casual manner. The Committee deplore this attitude of the Ministry and recommend that the Ministry should immediately call for the information from the Delhi based crematoria and furnish it to the House for implementation of the long pending assurance given by their Minister to the House without delay.

(ii)

**IMPORT OF INGREDIENTS BY SOFT DRINKS MANUFACTURERS**

1.10 On December 18, 1991, the following Unstarred Question No. 4512 given notice of by Shri Chetan P.S. Chauhan and Kumari Dipika Chikhalia, M.Ps, was addressed to the Minister of Food and Processing Industries:—

“(a) the quantity and value of different ingredients imported by soft drinks manufacturers during each of the last three years and in the current year company-wise and year-wise; and

(b) the steps taken to minimise such imports in view of the present economic crisis?”

1.11 The Minister of State in the Ministry of Food Processing Industries (Shri Giridhar Gomango) gave the following reply:—

“(a) & (b) The details are being collected and will be laid on the Table of the House.”

1.12 Reply to the question was treated as an assurance by the Committee which was to be fulfilled within three months of the date of reply *i.e.* by March 17, 1992.

1.13 The Ministry of Food Processing Industries approached the Committee on Government Assurances through the Ministry of Parliamentary Affairs *vide* their U.O. Note No. II/FPI (9) USQ 5412-LS/91 dated May 17, 1993, to drop assurance on the grounds indicated below:—

“...that steps were taken to collect the information to fulfil the assurance from various Ministries/Departments of the Government dealing with the subject but the information relating to quantity and value of different ingredients imported by soft drink manufacturers during each of the last three years and in the current year company-wise and year-wise are not available. Hence it is not possible to fulfil the assurance.”

1.14 The Committee considered the request of the Ministry of Food Processing Industries for dropping of the assurance at their sitting held on August 17, 1993.

1.15 The Committee were not satisfied with the reasons advanced by the Ministry and therefore, did not agree to drop the assurance. The decision of the Committee was accordingly conveyed to the Ministry for compliance. The assurance continues to be pending with the Government for fulfilment.

1.16 The Committee are concerned to note that the Minister of State in the Ministry of Food Processing Industries informed the House on December 18, 1991 that the information relating to import of different



ingredients by soft drink manufacturers for the last three years were being collected and would be laid on the Table of the House. Later on the Ministry approached the Committee to drop the assurance on the ground that the figures in respect of imported ingredients could not be available. This was informed to the Committee after the lapse of one and half years. This is in utter disregard to the assurance given to the House by the Minister of State in the Ministry of Food Processing Industries.

1.17 The Committee are not satisfied with such routine and prototype ground given by the Ministry for dropping of the assurance. The Committee feel that the Ministry has not been serious enough to collect the information from the concerned departments. The Committee therefore, recommended that the Ministry of Food Processing Industries should move in the matter and make sincere efforts to collect the information from various sources and place it before Parliament in fulfilment of the assurance without any further delay.

(iii)

#### INDEPENDENT COUNCIL FOR PHYSIOTHERAPISTS

1.18 On August 22, 1990, the following Unstarred Question No. 2226 given notice of by Shrimati Geeta Mukherjee, M.P., was addressed to the Minister of Health and Family Welfare:—

“(a) whether Government have received any representation from the Indian Association of Physiotherapists for the formation of a separate council for them; and

(b) if so, the reaction of Government thereto?”

1.19 The Minister of State in the Ministry of Health and Family Welfare (Shri Rasheed Masood) gave the following reply:—

“(a) & (b): Yes. On the basis of the representation received from the Indian Association of Physiotherapists, it has been decided to set up a separate council for physiotherapists and occupational therapists with separate cells. Steps to set up the said Council are being taken.”

1.20 Again on April 21, 1992, the following Unstarred Question No. 7301 given notice of by Shri Ram Vilas Paswan, M.P., was addressed to the Minister of Health and Family Welfare:—

“(a) whether Government have abandoned the scheme to set up a separate council for Physiotherapists and Occupational Therapists with separate cells;

(b) if so, the reasons therefor;

(c) if not, action taken so far by the government to bring suitable Legislation in this regard; and

(d) the amount earmarked in this regard during 1992-93?”

1.21 The then Minister of State in the Ministry of Health and Family Welfare (Shrimati D. K. Tara Devi Siddharatha) gave the following reply:—

“(a) No, Sir.

(b) The question does not arise.

(c) The proposal to bring a suitable legislation on the subject is under process.

(d) No funds have been earmarked during 1992-93.”

1.22 Replies to the questions were treated as an assurance by the Committee which was to be fulfilled within three months of the date of reply.

1.23 The Ministry of Health and Family Welfare approached the Committee on government Assurances through the Ministry of Parliamentary Affairs *vide* their U.O. Note Nos. III/HFW(39) USQ 2226-LS/90 and III/HFW(53) USQ 7301-LS/92 dated April 15, 1993 to drop the assurances on the grounds indicated below:—

“.....that in order to fulfil the Assurance, a draft note for the Cabinet for setting up of an independent council for Physio-occupational therapists with separate cells for both disciplines was circulated among the Ministry of Welfare, Ministry of Finance, Department of Education and Department of Science and Technology. As per the advice of the Ministry of Finance, Department of Expenditure thereon, the proposal for the setting up of the Council has been kept pending till the end of the current Eighth Plan, *i.e.*, till 31.7.97 for lack of budgetary provisions. Therefore, as it would not be possible to implement the Assurance under reference before the end of the current plan *i.e.* 31.3.97, it is requested that the Assurances be dropped.”

1.24 The Committee considered the request of the Ministry of Health and Family Welfare for dropping the assurances at their sitting held on August 17, 1993.

1.25 The Committee were not satisfied with the justification given by the Ministry and therefore did not agree to drop the assurances. The decision of the Committee was accordingly conveyed to the Ministry for compliance. The assurance is still pending for fulfilment.

1.26 The Committee are unhappy to note that the proposal to set up a separate council for Physiotherapists and Occupational Therapists with separate cells which was approved in 1990 *i.e.* about four years back, is still pending with the Union Government and in any case it is not going to be undertaken till the end of current Eighth Five Year Plan *i.e.* till July 31, 1997 because of the lack of budgetary provisions and, therefore, the assurance given by the Minister of State in the Ministry of Health and

**Family Welfare is not going to be fulfilled before the end of the current Five Year Plan period.**

1.27 The Committee are constrained to observe that the Ministry of health and Family Welfare have taken about one year to tell the simple matter to the Committee that there is no budgetary provision made in Eighth Five Year Plan. The Committee are compelled to observe that the Ministry did not attach due importance to fulfil the assurance and instead of making earnest efforts to implement the solemn assurance approached the Committee to drop it in routine and casual manner. The Committee feel that it is the responsibility of the government to take care of the Public Health and that the negligence of the issue will affect the public at large adversely. The Committee, therefore, recommend that the Ministry of Health and Family Welfare should make efforts in all earnestness to bring the proposed Legislation in Parliament at the earliest and implement the assurance without further delay.

(iv)

#### SUPPLY OF EXPLOSIVES TO ASSAM EXTREMISTS

1.28 On November 25, 1991, the following Starred Question No. 50 given notice of by Shri Kamla Mishra Madhukar, M.P., was addressed to the Minister of Home Affairs:—

“(a) whether it has come to the notice of the Government that explosives are being supplied to the Assam Extremists from the coal fields of Bihar; and

(b) if so, the steps taken by the Government in the matter?”

1.29 The Minister of Home Affairs (Shri S. B. Chavan) gave the following reply:—

“(a) and (b): Two parcel of gunny bags containing detonators were recovered by R.P.F., Guwahati. The offence is under investigation. The State Government with the aid of the army and the Central para-military organisations is engaged in controlling such activities.”

1.30 Reply to the question was treated as an assurance by the Committee which was to be fulfilled within three months of the date of reply i.e. by February 24, 1992.

1.31 The Ministry of Home Affairs approached the Committee on Government Assurances through the Ministry of Parliamentary Affairs *vide* their U.O. Note No. IL/H.A.(3)SQ-50-LS/91 dated September 21, 1993, to drop the assurance on the grounds indicated below:—

“The Government of Assam has informed that two persons were arrested by Bihar Police. They are reported to have since been bailed out. Assam Police also arrested one person and he also managed to secure bail. Further investigation shows that the

consignment of explosives was meant for use in illicit mining in Shillong area of Meghalaya and not for terrorist activities. The case is still under investigation. The matter is within the area of responsibility of the State Government. The investigation by the State Police and the judicial process is likely to take time and it will not be possible to get the information within a reasonable time."

1.32 The Committee considered the request of the Ministry of Home Affairs for the dropping of the assurance at their sitting held on October 1, 1992. The Committee did not agree to the request of the Ministry to drop the assurance and made the following observations in their Twelfth Report presented to Lok Sabha on May 11, 1993:—

"The Committee are constrained to observe that although sufficient time have lapsed yet the case is still under investigation and the Union Government want to get rid of the responsibilities in the guise of the matter being under the control of the State Governments as the area of responsibility lies with the State Governments.

The Committee find no justification in continuing the investigation and keeping the issue alive for investigation for all the time to come.

The Committee desire that the Union Government should not shirk of their responsibilities and pursue the matter with the State Governments. The State Governments should be directed to complete the investigations and file suits in the respective Court of law for further action. The Ministry can liquidate the assurance by furnishing information to the fact that a case has since been filed in the Court."

1.33 On June 30, 1993, the Ministry of Home Affairs again approached the Committee on Government Assurances through the Ministry of Parliamentary Affairs *vide* their U.O. Note No. II/H.A.(3)SQ-50-LD/91 dated June 30, 1993, to drop the assurance on the grounds indicated below:—

"As assurance was given related to part (a) and (b) of the question that the offence is under investigation. Since the investigation by the State Police and the judicial process is likely to take considerable time, it is not possible for the Government of Assam to give any indication as to the time frame within which the process of investigation and the subsequent judicial process will be completed. The case is completely under the area of responsibility of the Government of Assam. In view of this, this Ministry had requested for dropping the assurance. The Committee on Government Assurances has not agreed to this. Ministry of

Parliamentary Affairs has been requested to move the Committee for reconsideration of the decision."

134. The Committee considered the request of the Ministry of Home Affairs for dropping of the assurance at their sitting held on August 17, 1993.

1.35 The Committee did not accede to the request for dropping of the assurance and decision of the Committee was communicated to the M/o Home Affairs for compliance.

1.36 The Committee are unhappy to note that the Ministry of Home Affairs have not attempted to implement the recommendation of the Committee and have left the matter to take its own time. The Ministry have neither completed the investigation nor filed suit in the court of law even after a lapse of about two years. The Committee do not appreciate the contention of the Ministry that the investigation by the State Police and the Judicial process are likely to take considerable time and hence the request for dropping of the assurance. This is distressing that the Government of Assam has taken two years for undertaking investigation of a simple matter of supply of explosives by coal mine fields for destructive purpose. The Government should have completed the investigation by now and should have started a judicial process to punish the guilty. The Committee, therefore, reiterate their earlier recommendation in the matter that the Union Government should direct the Government of Assam for expeditious completion of the investigation and filing of a case in the court of law with a view to punish the guilty and send intimation to the Committee to this effect in fulfilment of the assurance given by the Minister on the Floor of the House.

(v)

#### THEFT OF TELEPHONE CABLES IN COUNTRY

1.37 On April 6, 1992, the following Unstarred Question No. 6323 given notice of by Sarvashri Mohan Rawale and Ram Tahal Choudhary, M.Ps was addressed to the Minister of Communications:—

"(a) the total value of telephone cables stolen including cables of underground telephone in various parts of the country during last three year, year-wise and State-wise.

(b) if so, the details in regard thereto;

(c) whether the matter has not been investigated;

(d) if so, the results thereof; and

(e) the action taken by the Government in this regard and also the measures taken to check such incidents in future?"

1.38 The then Deputy Minister in the Ministry of Communications (Shri P.V. Rangayya Naidu) gave the following reply:—

“(a) to (d): Information is being collected and will be placed on the Table of the House.

(e) The following steps have been taken:

- (i) Patrolling of important cable routes.
- (ii) Double locking of manhole covers.
- (iii) Laying of cables in concrete in open culverts.
- (iv) Close coordination with police authorities.”

1.39 Reply to parts (a) to (d) of the question was treated as an assurance by the Committee which was to be fulfilled within three months of the date of reply *i.e.* by July 5, 1992.

1.40 The Ministry of Communications approached the Committee on Government Assurances through the Ministry of Parliamentary Affairs *vide* their U.O. Note No. III/C(25) USQ 6323-LS/92 dated July, 5, 1992, to drop the assurance on the grounds indicated below:—

“...The theft of telephone cables has taken place all over the country and as far as the Department is concerned, the FIRs have been lodged with the local police authorities in each case. Most of the cases are under investigation of the local police authorities. As per the procedure, on completion of the investigation of the police authorities will take up the case in the local courts. The decision of the local courts take long time and the Department has no control to expedite the court decisions.”

1.41 The Ministry have in part fulfilment of the assurance laid a statement No. V/23 (Annexure) on the Table of the House on December 22, 1992 and have sought extension of time upto June 30, 1994.

1.42 The Committee considered the request of the Ministry of Communications for dropping the assurance at their sitting held on August 17, 1993. The Committee did not accede to the request made to them by the Ministry.

1.43 The Ministry of Communications have sought extension of time upto June 30, 1994.

1.44 The Committee note that the theft of telephone cables have taken place all over the country and the Ministry of Communications have not been able to investigate all those cases with a view to punish the thieves and stop the recurring incidents of theft. It is needless to impress that if the theft cases are not investigated promptly and the guilty are left unbooked and unpunished the menace of telephone cable theft would not only continue indefinitely but also increase year after year for want of the deterrent punishment. The Committee, therefore recommend that the Ministry of

Communications should activate their machinery to check such incidents of cable theft and undertake expeditious investigation of all the telephone cable thefts, recover the stolen public property with the help of police authorities and see that the guilty are severely punished and the cable theft is totally stopped.

(vi)

### INDIAN FOREST ACT, 1927

1.45 On March 10, 1988, the following Unstarred Question No. 2391 given notice of by Shri Shantaram Naik, M.P. was addressed to the Minister of Environment and Forests:—

“(a) whether Government propose to amend the Indian Forest Act, 1927; and

(b) if so, the essential features of the proposed amendment?”

1.46 The then Minister of State in the Ministry of Environment and Forests gave the following reply:—

“(a) Yes, Sir.

(b) The proposed amendment have not yet been formulated.”

1.47 Reply to part (b) of the question was treated as an assurance by the Committee fulfilment within three months of the date of reply *i.e.* by June 9, 1988.

1.48 On May 10, 1989, the following Starred Question No. 927 given notice of by Shri Banwari Lal Purohit and Dr. A.K. Patel M.Ps. was addressed to the Minister of Environment and Forests:—

“(a) whether the Government propose to enact a new Act to protect forests in the country; and

(b) if so, the outlines of the proposed legislation?”

1.49 The then Minister in the Ministry of Environment and Forests (Shri Z.R. Ansari) gave the following reply:—

“(a) & (b): Amendment of the Indian Forest Act, 1927 is under consideration of the Government. Outlines of the proposed legislation are yet to be finalised.”

1.50 The reply to the question was treated as an assurance by the Committee which was required to be fulfilled within three months from the date of the reply i.e. by August 9, 1989.

1.51 On April 9, 1990 the following Unstarred Question No. 4030 given notice of by Sarvashri K.S. Rao and Arvind Netam, M.Ps to the Prime Minister:—

“(a) Whether there is any proposal to review the existing forest policy;

(b) if so, the details thereof;

(c) whether it is also proposed to bring in legislation to control pilferage in forest product by contractors and to give more powers to the forest officers in this regard;

(d) whether Government also propose to introduce the scheme of rewarding forest officers who help catching culprits in stealing forest produce on the lines of the reward scheme of Customs and income-tax Department; and

(e) if so, the details thereof?”

1.52 The then Minister of State in the Ministry of Environment and Forests (Shrimati Maneka Gandhi) gave the following reply:—

“(a) and (b): No Sir.

(c) to (e): A proposal to comprehensively amend the Indian Forest Act, 1927 to make it more effective is under the consideration of the Government of India.”

1.53 The reply to the question was treated as an assurance by the Committee which was required to be fulfilled within three months from the date of the reply i.e. by July 8, 1990.

1.54 On April 30, 1990, the following Unstarred Question No. 6978 given notice of by Shri K.B.K. Deb Burman, M.P. to the Minister of Environment and Forests:—

“(a) whether there is any proposal to amend the Indian Forest Act, 1980, for providing permanent settlement of tribals residing in the protected forests and reserved forest areas;

(b) if so, the details and background of the proposed amendments; and



(c) when the proposed amending legislation is likely to be introduced?"

1.55 The then Minister of State in the Ministry of Environment and Forests (Shrimati Maneka Gandhi) gave the following reply:—

“(a), (b) & (c): There is no Act as Indian Forest Act, 1980. In 1980, Forest (Conservation) Act was enacted with a view to conserve forests. It was amended in 1988 to make it more comprehensive. There is no proposal under consideration to amend it further. However, a proposal to amend the Indian Forest Act, 1927 is under the consideration of the Government.”

1.56 The reply to the question was treated as an assurance by the Committee which was required to be fulfilled within three months from the date of the reply *i.e.* by July, 29, 1990.

1.57 On April 30, 1990, the following Unstarred Question No. 6986 given notice of by Shri Rajamohana Reddy, M.P. was addressed to the Minister of Environment and Forests:—

“(a) whether Red Sandal Wood is being cut illegally from the forests of Andhra Pradesh and then smuggled out to foreign countries and sold there at very high price;

(b) whether there is no provision in the Indian Forest Act empowering it to seize the smuggled Red Sandal Wood once it crosses the Andhra Pradesh border;

(c) if so, whether Government proposes to amend the Indian Forest Act, 1980 suitably so that Red Sandal Wood may be seized anywhere on the Indian soil; and

(d) if so, the details in this regard and the reaction of the Government thereto?”

1.58 The then Minister of State in the Ministry of Environment and Forests (Shrimati Maneka Gandhi) gave the following reply:—

“(a) Yes, Sir.

(b) to (d): The provisions of Indian Forest Act, 1927 are found to be inadequate to stop smuggling of red sandal wood which is reported to occur through Madras. The Central Government is considering introducing a bill for dealing with cases of Red Sanders in the country.”

1.59 The reply to parts (b) to (d) of the question was treated as an assurance by the Committee which was required to be fulfilled within three months from the date of the reply *i.e.* by July, 29, 1990.

1.60 The Ministry of Environment and Forests approached the Committee on Government Assurances through the Ministry of

Parliamentary Affairs *vide* their U.O. Note No. XIII/E&F(35) SQ 927-LS/89 dated March 2, 1993, to drop the assurances on the grounds indicated below:—

“At present, Indian Forest Act, 1927 is the main Act dealing with matters related to general protection of forests. This Act is in force in majority of the States. However, the States are empowered to amend its provisions to suit their requirements. A number of States have amended this Act from time to time and by now there are considerable variations between the States. Apart from the Indian Forest Act, some States have parallel Acts under different names. Some of these are Assam Forest Regulations 1892; Karnataka Forest Act, 1963; Andhra Pradesh Forest Act; Kerala Forest Act, 1961; Rajasthan Forest Act, 1982, Tamil Nadu Forest Act, 1892; Nagaland Forest Act, 1968 and Sikkim Forest, Water Courses and Road Reserve (Preservation and Protection) Act, 1988.

Apart from the legislation for general protection of forests, a number of States have enacted laws for forestry related activities. Some of these are for nationalisation of trade in minor forest produce; some others are meant for regulating felling of trees in private lands. States like Karnataka, Andhra Pradesh, Madhya Pradesh, Himachal Pradesh have enacted various other acts for specific purposes. Some of these relate to regulation of saw milling; felling, extraction and processing of sandal wood; regulation of sale depots etc.

An amendment to the Indian Forest Act, 1927 was considered essential firstly to consolidate various Acts/Amendments and secondly for the purpose of incorporating important aspects of the latest forest policy.

A Drafting Committee, set up to draft a suitable legislation, has completed its work. The Committee has recommended various amendments to the Indian Forest Act, 1927 which have been incorporated in a draft legislation named “The Conservation of Forests and Natural Eco-system Act.” Broadly speaking the new provisions/amendments proposed fall into 3 categories (i) Amendments to the existing provisions in order to make them more effective (ii) Incorporation of provisions which already exist in some of the States either by way of amendment to the Indian Forest Act, 1927 or by virtue of new Acts enacted by the States (iii) New provisions which are required to give effect to the pronouncements made in the National Forest Policy, 1988.

The draft Act prepared by the Committee has been circulated to the State Governments/UTs for seeking their view. Some States have responded while some States are yet to offer their views. With regard to Centre-State Relations on legislation on the subject

of Concurrent List, the Sarkaria Commission have recommended joint and collective consultations in Inter-State Council. They have also recommended that the bill should be accompanied by a gist of the comments of the State Governments when it is introduced in the Parliament.

Once the Draft Act is finalised, comments from other concerned Ministries will be required to be invited. The final document would then be sent to Law Ministry for vetting before a Bill is introduced in Parliament.

In view of above, considerable time is likely to be required for enacting the new legislation replacing the Indian Forest Act, 1927."

1.61 The Committee considered the request of the Ministry of Environment and Forests for dropping of the assurance at their sitting held on August 17, 1993.

1.62 The Committee did not agree to drop the assurances. The decision of the Committee has been accordingly conveyed to the Ministry for compliance. The assurance given by the Ministry from time to time still remains unfulfilled.

1.63 The Committee take a serious view that an important issue to amend the Indian Forest Act, 1927 was raised as far back as in 1988 and a final decision is yet to be taken. The importance of the subject matter can be well-judged by the Government that the issue has been raised time and again in the Parliament and every time an assurance has been given. After the lapse of a considerable time i.e. more than five years the Ministry have approached the Committee with a request for getting the assurances dropped. In view of the forest policy announced by the Government, the Committee also take notice that there is need to amend the present Indian Forest Act, 1927. The Committee is of the view that without carrying out the necessary amendments in the act the National Forest Policy, 1988 can bear no fruit and achieve the aims with which the policy was formed. The Committee hope that Ministry of Environment and Forests should complete the consultations with the Government of States/UTs within a period of six months and bring the draft legislation before the Parliament for amendment of the existing Forest Act.

1.64 The Committee hope that Government will make sincere efforts for expediting the consultations and discussions with the concerned authorities. The Committee also hope that time limit would be fixed to complete the deliberations with the State Governments and Central Government to finalise the enactment without further loss of time so that the forests are well protected, ecological balance maintained, pollution controlled and climate conditions improved. The Committee desire that the progress being made to implement the assurances should be reported to the Committee quarterly.

## CHAPTER-II

(i)

### FISHING HARBOUR

2.0 On December 5, 1991, the following Unstarred Question No. 2416 given notice of by Shri Sudhir Sawant, M.P. was addressed to the Minister of Agriculture:—

“(a) whether several fishermen along the sea coast carry out their operations without landing facility for their crafts;

(b) if so, the steps taken by the Government to develop fishing harbours in each coastal State;

(c) the number of fishing harbours existing along Maharashtra coast and the details of fishing harbours under construction; and

(d) the reasons for delay in developing the Anandwadi project at Deogad in Sindhudurg district of Maharashtra?”

2.1 The then Minister of State in the Ministry of Agriculture (Shri Mullappally Ramachandran) gave the following reply:—

“(a) : Yes, Sir.

(b) : Under the Centrally Sponsored Scheme, the Central Government assist the State and Union Territory Governments to develop minor fishery harbours and fish landing centres by giving 50 per cent of the cost as grant. The Central Government also establishes major fishery harbours at selected ports by bearing 100 per cent cost.

(c) : Along Maharashtra coast, one minor fishery harbour and twenty nine fish landing centres have been commissioned. The major fishery harbour at Sassoon Dock, Bombay is expected to be completed by December, 1992. A fish landing centre at Surjekote is under construction.

(d) : Techno economic feasibility report for the project is still awaited from the State Government of Maharashtra.”

2.2 Reply to part(d) of the question was treated as an assurance by the Committee which was to be fulfilled within three months of the date of reply *i.e.* by March 4, 1992.

2.3 The Ministry of Agriculture approached the Committee on Government Assurances through the Ministry of Parliamentary Affairs

*vide* their U.O. Note No. II/Agri(4)USQ 2416-LS91 dated February 11, 1993, to drop the assurance on the grounds indicated below:—

“.....As per procedures, it is the responsibility of the State Government, if it considers necessary and desirable to submit the project proposals in respect of fishing harbours in consultation with Central Institute of Coastal Engineering for Fishery, Bangalore. In the case of Deogad fishing harbour under reference, no proposal as per procedure has been received from the Maharashtra Government. It is therefore presumed that the State Government is not interested in sending such a proposal.

Since no project report has been received by Government of India, there is no question of Government of India holding up or delaying the sanctioning of the fishery harbour project.”

2.4 The Committee considered the request of the Ministry of Agriculture for dropping the assurance at their sitting held on July 16, 1993.

2.5 The Committee have decided to drop the assurance.

(ii)

#### PROJECTS IN BACKWARD STATES

2.6 On December 13, 1991, the following Starred Question No. 327 given notice of by Shrimati Vasundhara Raje, M.P., was addressed to the Minister of Finance:

“(a) whether priority is being given by the Government to the implementation of such projects in the backward States as are getting foreign aid;

(b) if so, the number of these projects taken up in different States during each of the last three years, State-wise; and

(c) the details of such projects proposed to be implemented in different States the Eighth Plan Period?”

2.7 The then Minister of State in the Ministry of Finance (Shri Rameshwar Thakur) gave the following reply:—

“(a) The external assistance received by the Government enter the Central pool of resources our plan priorities. It is, however, ensured among States and Union Territories according to available for the entire Economy and are allocated at the time of formulation of plan that due share is given to each State/Union Territory.

(b) Information is given below:—

Name of State	Number of projects in		
	1988-89	1989-90	1990-91
Andhra Pradesh	1	3	4
Gujarat	—	1	—
Karnataka	4	5	—
Kerala	1	—	—
Madhya Pradesh	3	—	—
Maharashtra	1	1	1
Orissa	2	1	—
Punjab	—	2	—
Rajasthan	1	3	—
Tamil Nadu	3	5	3
Uttar Pradesh	2	1	4
West Bengal	2	—	3
Multistates	2	—	8
<b>Total</b>	<b>22</b>	<b>22</b>	<b>23</b>

(c): External resources are mobilised to bridge the gap between total investment outlays and internal resources available during the plan period. The amount of assistance would depend on our year to year aid requirements and international aid climate. The Eighth Plan scheduled to commence from 1st April, 1992 has not been finalised and as such it is not possible at this stage to indicate the projected quantum and the nature of external aid required during the Eighth Plan period.”

2.8 During the course of discussion on the above question the Member (Smt. Vasundara Raje) inter-alia desired to know whether the Government had examined vital aspects of treating the desert areas of Rajasthan and Kutch for categorisation both as special areas and granting of states similar to that of hill areas so that they may receive the development funds, loans etc. on concessional terms.

2.9 The honourable Speaker, Lok Sabha observed as follows:—

“The question is whether you are going to help the projects in Rajasthan, in desert areas. If you have the information, give it. Otherwise send it in writing.”

2.10 The then Minister of State in the Ministry of Finance also stated as follows:—

“The Government of India have been giving special consideration, particularly to hill areas and the desert areas in Rajasthan. The specific project, if any, mentioned by the Hon. Member will receive due consideration by the Government.”

2.11 The above reply to the supplementary point raised was treated as an assurance by the Committee which was to be fulfilled within three months of the date of reply *i.e.* by March 12, 1992.

2.12 The Ministry of Finance approached the Committee on Government Assurances through the Ministry of Parliamentary Affairs *vide* their U.O. Note No. II (Fin. (48) 52327-LS91 dated January 19, 1993 to drop the assurance on the grounds indicated below:—

“To the question of the Hon’ble Member and observation of Hon. Speaker, the Hon’ble Minister has very clearly stated, ‘we have special criteria for the Hill areas. Special assistance is being given particularly for these seven or nine States. For special category States, we are giving special consideration in relation of allocation as well as special assistance.’ He further stated, ‘The Government of India have been giving special consideration particularly to Hill areas and the desert areas in the Rajasthan.’ The special project, if any, mentioned by the Hon’ble Member will receive due consideration by the Government.”

2.13 The Committee consider the request of the Ministry of Finance for dropping the Assurance at their sitting held on July 17, 1993 accede to the request of the Ministry.

2.14 The Committee on the basis of the reasons given by the Ministry have decided to drop the assurance.

(iii)

### IMPACT OF SECURITIES SCAM ON ECONOMY

2.15 On December 4, 1992 the following Unstarred Question No. 2033 given notice of by Sarvashri Hari Kewal Prasad, Devi bux Singh and Dr. Ramesh Chand M.Ps was addressed to the Minister of Finance:

“(a) whether the Government have assessed the impact of the securities scam on the economy of the country;

(b) if so, the details thereof;

(c) whether the pace of economic reforms programme of the Government has slowed down after the securities scam; and

(d) if so, the steps taken or proposed to be taken by the Government in this regard?”

2.16 The then Minister of State in the Ministry of Finance (Shri Rameshwar Thakur) gave the following reply:—

“(a) & (b) Detailed investigations into the irregular transactions in Government Securities usually referred to as securities scam are still in progress. The final position about the impact of these transactions on the economy will, therefore, be known only after the completion of investigations.

The Securities scam has, however, brought out weaknesses in the financial system of the country as well as inadequacies of its supervision. Government is determined not only to punish those who are found responsible for the scam but also to ensure that the financial system is reformed and strengthened so that such a scam does not recur in future.

(c) No, Sir.

(d) Does not arise.”

2.17 Reply to parts (a) & (b) of the question was treated as an assurance by the Committee which was to be fulfilled within three months of the date of reply *i.e.* by March 3, 1993.

2.18 The Ministry of Finance approached the Committee on Government Assurances through the Ministry of Parliamentary Affairs *vide* their U.O. note No. V/Fin.(12) USQ-2033-LS92 dated March 16, 1993 to drop the assurance on the grounds indicated below:—

“There are various agencies which are making investigations. The tracing of frauds, pursuance of criminal acts etc. Which form the core of investigations are being conducted by various agencies such as CBI, RBI, CBDT and the enforcement wing. This exercise is time consuming and no rigorous time schedule can be stipulated for its completion. However, all the agencies are anxious to complete the work as early as possible. Further the Joint Parliamentary Committee is also probing in the irregularities in security transactions. The report of this Committee will as usual be laid on the Table of both Houses of Parliament which may, *inter-alia*, also contain its views regarding the impact of the scam on the country's economy.”

2.19 The Committee considered the request of the Ministry of Finance for dropping the assurance at their sitting held on July 16, 1993. The Committee have acceded to the request of the Ministry and decided to drop the same.



(iv)

**POWER PROJECTS IN PRIVATE SECTOR**

2.20 On March 22, 1993 the following starred Question No. 363 given notice of by Saravashri K. Thulasiah Vandayar and Rajendra Agnihotri, MPs was addressed to the Minister of Power.

(a) the number of private enterprises including foreign companies which have bid for power projects in the country;

(b) the number of such enterprises which have been awarded the power generation projects; and

(c) the modality for granting power projects to private sector?"

2.21 The Minister of Power (Shri N.K.P. Salve) gave the following reply:—

“(a) to (c): The State Government and the “generating companies” (as defined in Section 2 (4-A) of the Electricity (Supply) Act, 1948), award projects on the basis of response received to advertisements issued by them, as well as on the basis of negotiations with prospective private enterprises in respect of projects identified by them or for projects proposed for such private enterprises. As at present proposals for 41 projects, inclusive of 26 foreign Companies/NRIs have been received by the State Governments and the generating companies, which are under various stages of process towards clearance.”

2.22 During the course of supplementaries on the above question expressing the concern over the day by day reduction in the power production of power generating companies, Shri Rajendra Agnihotri, M.P. desired to know the position on the following points:—

(i) the number of proposals for Uttar Pradesh out of 41 proposals received from the private companies;

(ii) the names of those companies; and

(iii) the time by which those proposals would be sanctioned.

2.23 In reply to the above points the Minister of State in the Ministry of Power (Shri P.V. Rangayya Naidu) gave the following reply:—

“I have already stated in my reply that the various proposals received by the State Governments and the generating companies are at various stages of process for clearance. Regarding U.P., we have Vishnuprayag project which is hydro electric project. There is only one project under consideration in U.P.”

2.24 Reply to point raised during supplementaries on the question was treated as an assurance by the Committee which was to be reply *i.e.* by June 21, 1993.

2.25. The Ministry of Power approached the Committee on Government

Assurances through the Ministry of Parliamentary Affairs *vide* their U.O. Note No. VI / P (7) SQ 363-LS/93 dated June 24, 1993 to drop the assurance on the grounds indicated below:—

“—The second sentence only indicates the name of project being processed by the State Government of Uttar Pradesh and may not be treated as a statement in isolation to constitute an assurance.”

2.26. The Committee considered the request of the of the Ministry of Power for dropping the assurance at their sitting held on August 17, 1993.

2.27. The Committee have decided to drop the assurance.

(v)

### REGISTRATION OF GROUP HOUSING COOPERATIVE SOCIETIES BY DELHI DEVELOPMENT AUTHORITY

2.28 On December 11, 1991, the following Starred Question No. 302 given notice of by Shri B.L. Sharma, M.P., was addressed to the Minister of Urban Development:

“(a) Whether the Delhi Development Authority has stopped registration of individuals for accomodation;

(b) Whether it has also stopped the registration of cooperative societies for allotment of land;

(c) if so, the reasons therefor; and

(d) whether the Government propose to start registration of new cooperative societies with a view to encouraging the co-operative movement?”

2.29 The Minister of Urban Development (Shrimati Sheila Kaul) gave the following reply:—

(a) Yes, Sir.

(b) & (c) The registration of cooperative group housing societies in Delhi has been stopped by the Registrar of Cooperative Societies after 1983. This has been done due to problems in the allotment of land to the group housing societies registered in 1983-84 and the heavy backlog of registrants under DDA's on going housing schemes.

(d) it will be considered after the existing registered societies get land allotted to them.”

2.30 Reply to part (d) of the question was treated as an assurance by the Committee which was to be fulfilled within three months of the date of reply *i.e.* by March 10, 1992.

2.31 The Ministry of Urban Development approached the Committee on Government Assurances through the Ministry of Parliamentary Affairs *vide*

their U.O. Note No. II/UD(38) SQ 302-LS/91 dated June 24, 1993 to drop the assurance on the grounds indicated below:

“..... that there are about 1419 cooperative group housing societies registered in 1983 and thereafter who are yet to be allotted land by the DDA. Out of these only about 400 societies are proposed to be allotted land by DDA during the 8th plan period. The balance Societies will have to be accomodated in the succeeding plan period.

Since the question of further registration of group housing societies in Delhi can be considered only after all the wait-listed societies get allotment of land, which does not seem to be possible in the near future, it is requested that the reply given to part 'd' of the question may not be treated as an assurance.”

2.32 The Committee considered the request of the Ministry of Urban Development for dropping the assurance at their sitting held on August 17, 1993.

2.33 The Committee have decided to drop the assurance in view of the reasons stated by the Ministry of Urban Development.

## CHAPTER III

### PENDING ASSURANCES PERTAINING TO SEVENTH, EIGHTH, NINTH AND TENTH LOK SABHAS

3.0 During the Seventh Lok Sabha 7,231 assurances were culled out from Lok Sabha debates for implementation by the Government. Out of these, 7,230 assurances have since been implemented, leaving a balance of one assurance to be implemented.

3.1 During the Eighth Lok Sabha, 9,022 assurances were culled out. Out of them, 8,935 have since been implemented leaving a balance of 87 assurances to be implemented.

3.2 During the First to Seventh Sessions of Ninth Lok Sabha 2,827 assurances were culled out. Out of them 2,639 have since been implemented, thus leaving a balance of 188 assurances pending implementation.

3.3 During the First, Second, Third, Fourth, Fifth, Sixth and Seventh Sessions of the Tenth Lok Sabha 5105 assurances were culled out. Out of them, 2747 assurances have been implemented, thus leaving a balance of 2358 assurances pending implementation.

3.4 The above figures take into account the latest statements of implemented assurances laid on the Table of Lok Sabha by the Minister of Parliamentary Affairs on August 26, 1993.

3.5 Statement showing Session-wise position of assurances pertaining to Seventh, Eighth, Ninth and Tenth Lok Sabha pending implementation by the Government is given in Annexures II & III.

3.6 The Committee would like the Ministries/Departments concerned to make a critical analysis of the pending assurances so as to implement them without any further loss of time.

NEW DELHI;  
December 1, 1993  

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Agrahayana 10, 1915 (Saka)

DR. LAXMINARAIN PANDEY,  
*Chairman,*  
*Committee on Government Assurances.*

## APPENDICES

(vide Para 4 of the introduction)

### MINUTES

#### Eighth Sitting

*Minutes of the Committee on Government Assurances held in Room No. 53, Parliament House*

The Committee met on Friday, July 16, 1993 from 15.00 hours to 15.45 hours.

#### PRESENT

- Dr. Laxminarain Pandey — *Chairman*
2. Shri B. Devarajan
  3. Smt. Saroj Dubey
  4. Shri B.K. Gudadinni
  5. Shri Prabhu Dayal Katheria
  6. Shri Balin Kuli
  7. Shri Ajoy Mukhopadhyay
  8. Shri Surendra Pal Pathak
  9. Smt. Pratibha Devisingh Patil
  10. Shri Nawal Kishore Rai
  11. Shri Chinmaya Nand Swami

#### SECRETARIAT

- Shri Murari Lal — *Director*  
Shri Joginder Singh — *Deputy Secretary*  
Shri D.L. Kapoor — *Under Secretary*

2. The Committee considered Memoranda Nos. 55, 56, 57, 58, 59 and 60.

*Memorandum No. 55 : Request for dropping of the assurance given on December 5, 1991, in reply to Unstarred Question No. 2416 regarding fishing harbours.*

The Committee considered the request of the Ministry of Agriculture received through the Ministry of Parliamentary Affairs *vide* their U.O. Note No. IL/Agri(4) USQ 2416-LS/91 dated February 11, 1993 for the dropping of the assurance on the following grounds:—

“.....As per procedures, it is the responsibility of the State Government, if it considers necessary and desirable to submit the project proposals in respect of fishing harbours in consultation with

Central Institute of Coastal Engineering for Fishery, Bangalore. In the case of Deogad fishing harbour under reference, no proposal as per procedure has been received from the Maharashtra Government. It is therefore presumed that the State Government is not interested in sending such a proposal.

Since no project report has been received by Government of India, there is no question of Government of India holding up or delaying the sanctioning of the fishery harbour project."

After considering the reasons advanced by the Ministry, the Committee decided to draft the assurance.

*Memorandum No. 56: Request for dropping of the assurance given on August 6, 1992 in reply to Starred Question No. 430 regarding electric crematorium.*

The Committee considered the request of the Ministry of Urban Development received through the Ministry of Parliamentary Affairs *vide* their U.O. Note No. IV/UD (16) SQ 430-LS/92 dated February 9, 1993 for the dropping of the assurance on the following grounds:—

"The information required for fulfilling the assurance is not readily available with this Ministry and nor the same may be available with some other centralised organisations. This information has, therefore, to be called for from all the State Governments/Local Bodies all over India. In view of this, this Ministry feels that the efforts involved in collecting the said data will not be commensurate with the purpose of the information."

The Committee did not agree with the reasons advanced by the Ministry to drop the assurance as only the details of MLA and MP, Minister and affluent persons who were cremated through electric crematoria in Delhi were sought in the question which could be collected easily by the Ministry. The Committee decided that the assurance may be pursued further.

*Memorandum No. 57 : Request for dropping of the assurance given on December 13, 1991 in reply to Starred Question No. 327 regarding projects in backward States.*

The Committee considered the request of the Ministry of Finance received through the Ministry of Parliamentary Affairs *vide* their U.O. Note No. II/Fin.(48) SQ 327-LS/91 dated January 19, 1993 for the dropping of the assurance on the following grounds:—

"To the question of the Hon'ble Member and observation of Hon. Speaker, the Hon'ble Minister has very clearly stated, "We have

special criteria for the Hill areas. Special assistance is being given particularly for these seven or Nine States. For special category States, We are giving special consideration in relation of allocation as well as special assistance." He further stated, "The Government of India have been giving special consideration particularly to Hill areas and the desert areas in Rajasthan. The special project, if any, mentioned by the Hon'ble Member will receive due consideration by the Government."

The Committee after considering the reasons advanced by the Ministry, decided to drop the assurance.

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*Memorandum No. 59: Request for dropping of the assurance given on December 4, 1992, in reply to Unstarred Question No. 2033 regarding impact of securities scam on economy.*

The Committee considered the request of the Ministry of Finance received through the Ministry of Parliamentary Affairs *vide* their 'U.O. Note No. V/Fin. (12) USQ 2033-LS/92 dated March 16, 1993 for the dropping of the assurance on the following grounds:—

"There are various agencies which are making investigations. The tracing of frauds, pursuance of criminal acts etc. which form the core of investigations are being conducted by various agencies such as CBI, RBI, CBDT and the enforcement wing. This exercise is time consuming and no rigorous time schedule can be stipulated for its completion. However, all the agencies are anxious to complete the work as early as possible. Further, the Joint Parliamentary Committee is also probing in the irregularities in security transactions. The report of this Committee will as usual be laid on the Table of both houses of Parliament which may, *Inter-alia*, also contain its views regarding the impact of the scam on the Country's economy."

The Committee after considering the reasons advanced by Ministry, decided to drop the assurance.

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The Committee considered the achievements of the Study Tour undertaken by the Committee during June, 1993 to Bangalore, Goa and Trivandrum. The Committee felt happy that more than 50 per cent assurances that were selected for examination during the study tour have been implemented by the Government. The Committee decided to maintain this practice and desired that members should participate actively in the study tour to make it still more effective.

The Committee decided to hold their next sitting on Tuesday, August 17, 1993 at 15.00 hours.

*The Committee then adjourned.*

# MINUTES

## Ninth Sitting

*Minutes of the Committee on Government Assurances held on August 17, 1993 in Committee Room No. '62' Parliament House, New Delhi.*

The Committee met on Tuesday, August 17, 1993 from 15.00 hours to 16.05 hours.

### PRESENT

- Dr. Laxminarain Pandey — *Chairman*
2. Shri B. Devarajan
  3. Smt. Saroj Dubey
  4. Shri B.K. Gudadinni
  5. Shri Prabhu Dayal Katheria
  6. Shri Balin Kuli
  7. Shri Ajoy Mukhopadhyay
  8. Shri Surendra Pal Pathak
  9. Smt. Pratibha Devisingh Patil
  10. Shri A. Prathap Sai

### SECRETARIAT

- Shri Murari Lal — *Director*  
Shri Joginder Singh — *Deputy Secretary*  
Shri D.L. Kapoor — *Under Secretary*

2. At the outset, after welcoming the members, the Chairman, apprised the Committee of the appointment of two of the members of the Committee, Dr. Krupasindhu Bhoi and Smt. Pratibha Devisingh Patil as Chairman of the Estimates Committee and House Committee respectively. The Committee expressed their happiness and congratulated them.

3. Thereafter the Committee took up for consideration the following Memoranda Nos. 61 to 68 containing requests from the Government for dropping of assurances:—

*Memorandum No. 61: Request for dropping of the assurance given on March 22, 1993 in reply to Starred Question No. 363 regarding power projects in private sector.*

4. The Committee considered the request of the Ministry of Power received through the Ministry of Parliamentary Affairs *vide* their U.O.



Note No. VLP(7)SQ 363-LS/93 dated 24.6.1993 for the dropping of the assurance on the following grounds:—

“....The second sentence only indicates the name of the project being processed by the State Government of Uttar Pradesh and may not be treated as a statement in isolation to constitute an assurance.”

4.1 The Committee considering the reasons advanced by the Ministry decided to drop the assurance.

*Memorandum No. 62: Request for dropping of the assurance given on December 11, 1991 in reply to Starred Question No. 302 regarding Registration of Group Housing Co-operative Societies by D.D.A.*

5. The Committee considered the request of the Ministry of Urban Development received through the Ministry of Parliamentary Affairs vide their U.O. Note No. II/UD (38) SQ 302-LS/91 dated June 24, 1993 for the dropping of the assurance on the following grounds:

“...that there are about 1419 cooperative group housing societies registered in 1983 and thereafter who are yet to be allotted land by the DDA. Out of these only about 400 societies are proposed to be allotted land by DDA during the 8th Plan period. The balance societies will have to be accomodated in the succeeding plan period.

Since the question of further registration of group housing societies in Delhi can be considered only after all the wait-listed societies get allotment of land, which does not seem to be possible in the near future, it is requested that the reply given to part ‘d’ of the question may not be treated as an assurance.”

5.1 The Committee agreed with the reasons advanced by the Ministry of Urban Development and decided to drop the assurance.

*Memorandum No. 63: Request for dropping of the assurance given on December 18, 1991 in reply to Unstarred Question No. 4512 regarding import of ingredients by soft drinks manufacturers.*

6. The Committee considered the request of the Ministry of food Processing Industries received through the Ministry of Parliamentary affairs

*vide* their U.O. Note No. II/FPI (9) USQ. 4512-LS/91 dated May 17, 1993 for the dropping of the assurance on the following grounds:

“....that steps were taken to collect the information to fulfil the assurance from various Ministries/Departments of the Government dealing with the subject but the information relating to quantity and value of different ingredients imported by soft drink manufacturers during each of the last three years and in the current year company—wise and year-wise are not available. Hence it is not possible to fulfil the assurance.”

6.1 The Committee after considering the reasons advanced by the Ministry decided that the subject matter might be pursued further.

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*Memorandum No. 65: Request for dropping of the assurance given on August 22, 1990 in reply to USQ. No. 2226; and April 21, 1992 in Reply to USQ No. 7301 regarding separate/independent council for Physiotherapists.*

8. The Committee considered the request of the Ministry of Health and Family Welfare received through the Ministry of Parliamentary affairs *vide* their U.O. Note No. III/HFW (39) USQ. 2226-LS/90 and II/HFW(53) USQ 7301-LS/92 dated April 15, 1993 and respectively for the dropping of the assurance on the following grounds:

“....that in order to fulfil the Assurance, a draft note for the Cabinet for setting up of an independent council for Physio-occupational thereapists with separate cells for both disciplines was circulated among the Ministry of Welfare, Ministry of Finance, Department of Education and Department of Science and Technology. As per the advice of the Ministry of Finance (Department of Expenditure) thereon, the proposal for the setting up of the Council has been kept pending till the end of the current Eighth plan, *i.e.*, till 31.7.97 for lack of budgetary provisions. Therefore, as it would not be possible to implement the Assurance under reference before the end of the current plan *i.e.* 31.3.1997, it is requested that the Assurances be dropped.”

8.1 The Committee did not agree to drop the assurances and desired that the Ministry of Health and Family Welfare might fulfil the assurances within a period of one year.

*Memorandum No. 66: Request for dropping of the assurance given on November 25, 1991, in reply to Starred Question No. 50 regarding supply of explosives to Assam extremists.*

9. The Committe considered the request of the Ministry of Home Affairs received through the Ministry of Parliamentary Affairs *vide* their U.O.

Note No. II/H.A. (3) SQ 50-LS/91 dated June 30, 1993 for the dropping of the assurance on the following grounds:

“An assurance was given relating to part (a) and (b) of the question that the offence is under investigation. Since the investigation by the State Police and the judicial process is likely to take considerable time, it is not possible for the Government of Assam to give any indication as to the time frame within which the process of investigation and the subsequent judicial process will be completed. The case is completely under the area of responsibility of the Government of Assam. In view of this, this Ministry had requested for dropping the assurance. The Committee on Government Assurances has not agreed to this. Ministry of Parliamentary Affairs has been requested to move the Committee for reconsideration of its decision.”

9.1 The Committee noted that the Ministry had earlier also approached the Committee for dropping of the assurance which was not agreed to. The recommendations/observations of the Committee are contained in their Twelfth Report which *inter alia* states “...the Ministry can liquidate the assurance by furnishing information to the fact that a case has since been filed in the court”. The Committee did not agree with the dropping of the assurance and desired that the Government might furnish information to the Committee about the latest progress made in the investigation work.

*Memorandum No. 67: Request for dropping of the assurance given on April 6, 1992 in reply to Unstarred Question No. 6823 regarding theft of telephone Cables in country.*

10. The Committee considered the request of the Ministry of Communications received through the Ministry of Parliamentary Affairs *vide* their U.O. Note No. II/C(25) USQ 6323-LS/92 dated July 5, 1993 for the dropping of the assurance on the following grounds:

“...The theft of telephone cables has taken place all over the country and as far as the Department is concerned, the FIRs have been lodged with the local police authorities in each case. Most of the cases are under investigation of the local police authorities. As per the procedure, on completion of the investigation the police authorities will take up the case in the local courts. The decision of the local courts take long time and the Department has no control to expedite the court decisions.”

10.1 The Committee decided not to drop the assurance and desired that the Ministry should try to expedite and complete the investigation of all the cases with in six months and furnish a report to the Committee thereafter.

**Memorandum No. 68:** *Request for dropping of the assurance given on (i) March 10, 1986 in reply to USQ No. 2391; (ii) May 10, 1989 in reply to SQ No. 927; (iii) April 9, 1990 in reply to USQ No. 4030; (iv) April 30, 1990 in reply to USQ No. 6978; and (v) April 30, 1990 in reply to USQ No. 6986 regarding Amendment to Forest Act, 1927.*

11. The Committee consider the request of the Ministry of Environment and Forests received through the Ministry of Parliamentary Affairs *vide* their U.O. Note XIII/E&F(35) SQ 927-LS/89 dated March 2, 1993 for the dropping of these assurances on the following grounds:

“At present, Indian Forest Act, 1927 is the main Act dealing with matters related to general protection of forests. This Act is in force in majority of the States. However, the States are empowered to amend its provisions to suit their requirements. A number of States have amended this Act from time to time and by now there are considerable variations between the States. Apart from the Indian Forest Act, some States have parallel Acts under different names. Some of these are Assam Forests Regulations 1892; Karnataka Forest Act, 1963; Andhra Pradesh Forest Act; Kerala Forest Act, 1961; Rajasthan Forest Act; Tamil Nadu Forest Act, 1882; Nagaland Forest Act, 1968 and Sikkim Forest, Water Courses and Road Reserve (Preservation and Protection) Act, 1988.

Apart from the legislations for general protection of forests, a number of States have enacted laws for forestry related activities. Some of these are for nationalisation of trade in minor forest produce; some others are meant for regulating felling of trees in private lands. States like Karnataka, Andhra Pradesh, Madhya Pradesh, Himachal Pradesh have enacted various other Acts for specific purposes. Some of these relate to regulation of saw milling; felling, extraction and processing of Sandal wood; regulation of sale depote etc.

An amendment to the Indian Forest Act, 1927 was considered essential firstly to consolidate various Acts/Amenđments and secondly for the purpose of incorporating important aspects of the latest forest policy.

A Drafting Committee, set up to draft a suitable legislation, has completed its work. The Committee has recommended various amendments to the Indian Forest Act, 1927 which have been incorporated in a draft legislation named “The Conseruation of Forests and Natural Eco-system Act” Broadly speaking the new provisions/amendments proposed fall into 3 categories (i) Amenđments to the existing provisions in order to make them

more effective (ii) Incorporation of provisions which already exist in some of the States either by way of amendment to the Indian Forest Act, 1927 or by virtue of new Acts enacted by the States (iii) New provisions which are required to give effect to the pronouncements made in the National Forest Policy, 1988.

The draft Act prepared by the Committee has been circulated to the State Governments/UTs for seeking their views. Some States have responded while some States are yet to offer their views. With regard to Centre-State Relations on legislation on the subject of Concurrent List, the Sarkaria Commission have recommended joint and collective consultations in Inter-State Council. They have also recommended that the bill should be accompanied by a gist of the comments of the State Governments when it is introduced in the Parliament.

Once the Draft Act is finalised, comments from other concerned Ministries will be required to be invited. The final document would then be sent to Law Ministry for vetting before a Bill is introduced in Parliament.

In view of above, considerable time is likely to be required for enacting the new legislation replacing the Indian Forest Act, 1927."

11.1 The Committee did not agree to drop these five assurances and desired that the Ministry of Environment and Forests should complete the consultations with the Governments of States/U.Ts within six months period and implement the assurance by taking a final decision on the issue.

12. Then the Committee took up for consideration the Draft Thirteenth Report and adopted the same after making some minor modifications.

13. The Committee authorised the Chairman, and in his absence Shri Ajoy Mukhopadhyay, M.P., to present the Thirteenth Report of the Committee in the Lok Sabha during the current session.

14. The Chairman informed the members about the constitution of a two-member sub-committee consisting of S/Shri B. Devarajan and Surendra Pal Pathak, M.Ps to pay a local visit to Shalimar Bagh, Delhi to ascertain the pace of the work undertaken in fulfilment of two pending assurances on which the Committee took oral evidence on May 25, 1993. The sub-committee would submit its report to the Chairman, Committee on Government Assurances.

15. The Committee decided to undertake a study tour to any two States out of Uttar Pradesh, Rajasthan, Madhya Pradesh etc. during September-October, 1993 in connection with examination of certain pending assurances.

16. The Committee decided to meet again on Friday, September 3, 1993 at 15.00 hours to consider the pending issue for treating a reply of the

**Minister of Railways relating to re-deployment of contract casual labourers engaged in coal and ash in Loco Sheds of the Railways.**

*The Committee then adjourned.*

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# MINUTES

## Thirteenth Sitting

*Minutes of the sitting of the Committee on Government Assurances held on Wednesday, December 1, 1993 in Committee Room 'C', Ground Floor, Parliament House Annexe, New Delhi.*

The Committee met on Wednesday, December 1, 1993 from 15.00 hours to 15.40 hours.

### PRESENT

Dr. Laxminarain Pandey — *Chairman*

2. Shri B. Devarajan
3. Smt. Saroj Dubey
4. Shri Ajoy Mukhopadhyay
5. Shri Naval Kishore Rai

### SECRETARIAT

Shri Murari Lal — *Joint Secretary*

Shri Joginder Singh — *Deputy Secretary*

Shri Ram Autar Ram — *Under Secretary*

2. The Committee considered and adopted their Sixteenth and Seventeenth Reports for presentation to the House.

3. The Committee noted that their Fourteenth and Fifteenth Reports already adopted by them in their last sittings are also awaiting presentation to the House. The Committee decided to present all these four reports i.e. Fourteenth, Fifteenth, Sixteenth and Seventeenth on December 3, 8, 9 and 10, 1993 respectively. The Committee authorised the Chairman and in his absence Shri Ajoy Mukhopadhyay of the Committee to present these reports to the House on their behalf.

The Chairman and members of the Committee took stock of the resume of work done by the Committee during their term which would expire on December 12, 1992. The Chairman thanked all the Hon'ble Members of the Committee for taking keen interest and extending full cooperation and for giving valuable guidance in conducting the proceedings of the Committee in a very congenial and family atmosphere. He also thanked the members for their unanimity in taking decisions irrespective of their

party affiliations. The Chairman gave the following resume of the work done by the Committee during their tenure of one year:—

- |       |   |   |   |
|-------|---|---|---|
| (i)   | Number of sittings  | : | Thirteen                                |
| (ii)  | Number of reports approved  | : | Nine                                    |
| (iii) | Number of oral evidence taken                                       | : | Two (on five pending assurances)        |
| (iv)  | Number of study tours   | : | Three                                   |
|       | Local visit of the Sub-Committee                                    | : | One                                     |
| (v)   | Number of dropping request considered                               | : | Fourty eight (in thirty four memoranda) |
| (vi)  | Number of assurances implemented during the tenure of the Committee |   |   |
|       | Eigth Lok Sabha   | : | 60                                      |
|       | Ninth Lok Sabha   | : | 175                                     |
|       | Tenth Lok Sabha   | : | 1768                                    |

The Member of the Committee reciprocated and placed on record their deep appreciation for rich, able and impartial way in which the chairman (Dr. Laxminarain Pandey, M.P.) conducted the meetings of the Committee. They expressed their gratitude to the Chairman giving chance to every member to express their views freely and frankly.

The Hon'ble Chairman and Members of the Committee expressed their thanks also to the officers and the staff of the Lok Sabha Secretariat for their hard work and valuable assistance rendered by them to felicitate the work of the Committee in all matters including conducting three study tours and formulation of nine reports. The Chairman and members appreciated the efficient service rendered by the Secretariat during the study tours undertaken by the Committee.

On behalf of the Secretariat, Joint Secretary (Administration) thanked the Chairman and Members of the Committee for their kind cooperation rendered and valuable guidance given.

*The Committee then adjourned.*



**ANNEXURE I**

*(Vide para 1.41 of the Report)*  
**III Session, 1992 of Tenth Lok Sabha**  
**MINISTRY OF COMMUNICATIONS**  
*Department of Telecommunications*

Q. No. date & Name of the Member	Subject	Promise Made	When & how fulfilled	Reason for delay
USQ No. 6323 by Sh. Mohan Rawale and Sh. Ram Tahal Choudhary dt.6.4.92	<b>THEFT OF TELEPHONE CABLES IN COUNTRY</b> Asking: (a) The total value of telephone cables stolen including cables of underground telephone in various parts of the country during last three years, year-wise and State-wise; (b) if so, the details in regard thereto; (c) whether the matter has been got investigated; (d) if so, the results thereof?	(a) to (d) Information is being collected and will be placed on the Table of the House.	(a) Rs. 2,57,70,842 (Rupees Two crore fifty seven lakhs seventy thousand, Eight hundred and forty two only) (b) As per annexure attached. (c) FIR is lodged with local police in each case. (d) Most of the cases are under investigation by the Police Authorities.	Information was to be collected from all the Circles.
(Partly implemented on 26.2.1993 vide SS.V / 23)				

*Theft of Telephone Cables in Country*

*(Value in Rupees)*

S.No.	Name of State	1989	1990	1991
1.	Andhra Pradesh	2,79,193	1,21,709	93,600
2.	Karnataka	2,94,516	3,56,651	4,17,988
3.	Haryana	1,00,000	14,560	54,800
4.	Himachal Pradesh	1,82,600	1,97,860	1,11,700
5.	Punjab	6,35,627	35,255	3,02,500
6.	Kerala	2,96,740	1,29,046	2,34,020
7.	Tamil Nadu	18,495	1,07,215	30,560
8.	Rajasthan	NIL	11,240	1,02,325
9.	Assam	NIL	22,713	2,17,610
10.	Orissa	27,97,325	7,21,286	33,08,809
11.	Bihar	14,543	1,35,974	14,77,764
12.	Madhya Pradesh	2,84,480	11,35,192	6,79,917
13.	West Bengal	2,39,595	1,80,200	1,59,270
14.	Sikkim	NIL	NIL	45,300
15.	Gujarat	4,730	6,06,222	1,39,275
16.	Uttar Pradesh	2,32,725	1,35,890	12,65,521
17.	Maharashtra	1,60,792	91,490	4,24,355
18.	Goa	91,215	89,610	8,000
19.	Jammu & Kashmir	17,900	1,52,940	6,93,760
20.	Arunachal Pradesh	NIL	5,000	1,81,100
21.	Manipur	NIL	NIL	NIL
22.	Meghalaya	45,748	6,600	1,70,340
23.	Mizoram	NIL	1,300	3,900
24.	Nagaland	NIL	53,000	2,45,000
25.	Tripura	10,200	14,000	2,11,550
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Sl. No.	Name of Metro city	1989	1990	1991
1.	Delhi	3,23,514	8,54,390	5,77,299
2.	Bombay	2,54,526	13,100	2,64,501
3.	Calcutta	6,10,102	14,67,695	2,67,540
4.	Madras	65,535	1,38,904	3,21,395

Total value — Rs. 2,57,70,842  
 (Rupees two crores and fifty seven  
 lacs and seventy thousand and  
 Eight hundred and forty two only)

(Vide Para No. 3.5 of the Report)

*Statement showing the position of assurances pending implementation as on August 26, 1993*

Lok Sabha	No. of Assurances culled out	No. of Assurances implemented/dropped	No. of Assurances outstanding
Seventh Lok Sabha (1980—1984)	7231	7230	1
Eighth Lok Sabha (1984—89)	9022	8935	87
Ninth Lok Sabha (1989—1991)	2827	2639	188
<b>Total</b>	<b>19080</b>	<b>18804</b>	<b>276</b>

(Vide Para no. 3.5 of the Report)

*Statement showing the position of the assurances of the Tenth Lok Sabha pending implementation as on August 28, 1993*

Session	No. of Assurances culled out	No. of Assurances implemented/dropped	No. of Assurances outstanding
First Session, 1991	907	696	211
Second Session, 1991	623	461	162
Third Session, 1992	1133	792	341
Fourth Session, 1992	603	307	296
Fifth Session, 1992	444	243	201
Sixth Session, 1993	912	248	664
Seventh Session, 1993	483	—	483
<b>Total</b>	<b>5105</b>	<b>2747</b>	<b>2358</b>

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